

ORDINANCE NO. 91-49

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AND AMENDED BY ORDINANCE NOS. 90-32, 90-54, 91-30, 91-31 AND 91-33, BY ADOPTING THE COUNTYWIDE FUTURE LAND USE ELEMENT; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County adopted the 1989 Comprehensive Plan on August 31, 1989 in Ordinance No. 89-17; and

WHEREAS, Palm Beach County has amended the 1989 Comprehensive Plan in Ordinance Nos. 90-32, 90-54, 91-30, 91-31 and 91-33; and

WHEREAS, Palm Beach County is authorized by Article 1.3 and Article 7 of the Palm Beach County Charter to adopt a Countywide Future Land Use Element (CFLUE) of the Comprehensive Plan; and

WHEREAS, Palm Beach County is authorized to adopt the CFLUE as an optional element of the 1989 Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes (1989), The Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the Palm Beach Countywide Planning Council acting as the Local Planning Agency conducted a public hearing on July 1, 1991 to consider the CFLUE and made recommendations regarding the CFLUE to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Florida Statutes, and Article 7 of the Palm Beach County Charter; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted public hearings pursuant to Chapter 163, Florida Statutes, to review the recommendations of the Countywide Planning Council acting as the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of CFLUE to the Department of Community Affairs for review and comment pursuant to Chapter 163, Florida Statutes; and

1 WHEREAS, Palm Beach County received Department of Community
2 Affairs "Objections, Recommendations, and Comments Report" dated
3 November 11, 1991, which was the Department's written review of the
4 proposed Comprehensive Plan amendments; and

5 WHEREAS, the Palm Beach Countywide Planning Council conducted
6 public hearings on November 25 and December 6, 1991 to review the
7 written comments of the Department of Community Affairs; and

8 WHEREAS, on December 16, 1991, the Palm Beach County Board of
9 County Commissioners held a public hearing to review the written
10 comments submitted by the Department of Community Affairs and to
11 consider adoption of the CFLUE; and

12 WHEREAS, the Board of County Commissioners of Palm Beach
13 County has determined that the CFLUE as modified meets the
14 "Objections, Recommendations and Comments Report" raised by the
15 Department of Community Affairs and complies with all requirements
16 of the Local Government Comprehensive Planning and Land Development
17 Regulations Act and the Palm Beach County Charter.

18 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
19 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

20 Part A. Applicability

21 This Ordinance is applicable in the incorporated and
22 unincorporated areas of Palm Beach County as provided by Article
23 1.3 of the Palm Beach County Charter.

24 Part B. Amendments to the Comprehensive Plan

25 1. The Countywide Future Land Use Element is hereby adopted
26 as an element of the Palm Beach County Comprehensive Plan.

27 2. The Countywide Future Land Use Element is attached to
28 this Ordinance as Exhibit A.

29 Part C. Repeal of Laws in Conflict

30 All laws and ordinances of Palm Beach County in conflict with
31 any provision of this ordinance are hereby repealed.

32 Part D. Severability

33 If any section, paragraph, sentence, clause, phrase, or word

1 of this ordinance is for any reason held by the Court to be
2 unconstitutional, inoperative or void, such holding shall not
3 affect the remainder of this ordinance.

4 **Part E. Inclusion in the Code of Laws and Ordinances**

5 The provision of this ordinance shall become and be made a
6 part of the code of laws and ordinances of Palm Beach County,
7 Florida. The Sections of the ordinance may be renumbered or
8 relettered to accomplish such, and the word "ordinance" may be
9 changed to "section," "article," or any other appropriate word.

10 **Part F. Effective Date**

11 The provisions of this ordinance shall become effective upon
12 receipt of acknowledgement by the Secretary of State.

13 APPROVED AND ADOPTED by the Board of County Commissioners of
14 Palm Beach County, on the 16th day of December, 1991.

15 PALM BEACH COUNTY, FLORIDA,
16 BY ITS BOARD OF COUNTY COMMISSIONERS

17 By [Signature]
18 Chairman

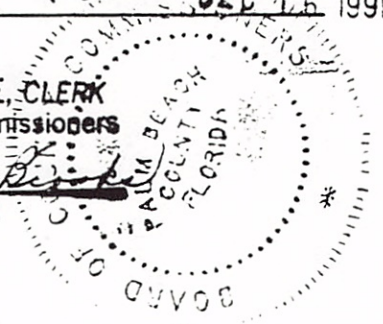
DEC 16 1991

19 APPROVED AS TO FORM AND
20 LEGAL SUFFICIENCY

21 [Signature]
22 COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK
Board of County Commissioners

By [Signature]
DEPUTY CLERK



23 Acknowledgement by the Department of State of the State of
24 Florida, on this, the 23rd day of December,
25 1991.

26 EFFECTIVE DATE: Acknowledgement from the Department of State
27 received on the 27th day of December, 1991, at
28 3:44 P.M. and filed in the Office of the Clerk of
29 the Board of County Commissioners of Palm Beach County, Florida.

30 (cflue.ord)

NO. 428940

NOTICE OF PUBLIC HEARING
For Changes Of Permitted Uses Of Land, Text Amendments,
And The Inclusion Of The
Countywide Future Land Use Element As An Optional Element
To The 1989 Palm Beach County Comprehensive Plan

The Board of County Commissioners, sitting as the Governing Body, will hold a public hearing at 9:30 A.M., December 16, 1991 in the Jane Thompson Memorial Chambers, 6th Floor, Governmental Center, 301 North Olive Avenue, West Palm Beach, Florida, in accordance with requirements of Chapter 163 F.S. to hear and consider public comment on two (2) proposed Ordinances of the Board of County Commissioners of Palm Beach County, Florida amending the 1989 Palm Beach County Comprehensive Plan adopted by Ordinance Number 89-17, and amended by Ordinance Numbers 90-32, 90-54, 91-30, 91-31, and 91-33. The first ordinance amends the following Elements of the 1989 Palm Beach County Comprehensive Plan: 1) Introduction/Administration, 2) Land Use, 3) Traffic Circulation, 4) Conservation, 5) Recreation and Open Space, 6) Housing, 7) Coastal Management, 8) Intergovernmental Coordination, 9) Aviation and Related Facilities, 10) Economic, and 11) Fire-Rescue; amends the Thoroughfare Right-of-Way Protection Map of the 1989 Comprehensive Plan; amends future land use Atlas Pages 26 & 32; provides for repeal of laws in conflict; provides for severability; provides for inclusion in the Code of Laws and Ordinances of Palm Beach County; and provides for an effective date. The second ordinance provides for the inclusion of the Countywide Future Land Use Element as an optional Element to the 1989 Palm Beach County Comprehensive Plan; provides for repeal of laws in conflict; provides for severability; provides for inclusion in the Code of Laws and Ordinances of Palm Beach County; and provides for an effective date. Both ordinances shall apply to the area shown in the map in this advertisement.

The Board of County Commissioners approved, on July 24, 1991 for the transmittal of the proposed text and map amendments to the 1989 Plan and the Countywide Future Land Use Element to the Florida Department of Community Affairs (DCA) for review. Palm Beach County received, in a letter dated November 11, 1991 the Objections, Recommendations, and Comments report of the DCA. The proposed amendments to the 1989 Plan have been modified to address the recommendations and concerns of the DCA.

Public comment on the above subject matter will be considered by the Board of County Commissioners and interested parties may appear at the public hearing and be heard regarding this matter.

For those persons unable to attend the public hearing, questions or written comments should be referred to:

Palm Beach County Planning Division
Kevin Ratterree, Planner II
800 13th Street, P.B.I.A.
West Palm Beach, Florida, 33406
(407) 233-5335

All documents listed below are located in the Planning Division and can be reviewed by the public on weekdays between the hours of 8:30 and 5:00 P.M.:

- a) Adopted Palm Beach County Future Land Use Atlas;
- b) Proposed text amendment package;
- c) Proposed map amendments to the Thoroughfare Right-of-Way Protection Map;
- d) Proposed Countywide Future Land Use Element;
- e) Adopted 1989 Palm Beach County Comprehensive Plan;
- f) Objections, Recommendations, and Comments report issued by the Florida Department of Community Affairs;
- g) Palm Beach County response to the Objections, Recommendations, and Comments report issued by the Florida Department of Community Affairs;
- h) Proposed future land use Atlas Pages 26 & 32.

All documents concerning the proposed Countywide Future Land Use Element shall also be available for review by the public, weekdays, between the hours of 8:30 a.m. and 5:00 p.m. at the following locations:

- a) Palm Beach County Countywide Planning Council, 2290 Tenth Avenue North, Suite 501, Lake Worth, Florida 33461;
- b) Palm Beach Gardens Library, 8895 North Military Trail, Palm Beach Gardens, FL;
- c) Central Library, 3650 Summit Blvd., West Palm Beach, FL;
- d) West Atlantic Avenue Library, 7777 W. Atlantic Ave., Delray Beach, FL;
- e) Glades Library, 530 S. Main Street, Belle Glade, FL.

If a person decides to appeal any decision made by this Commission with respect to any matter considered at this hearing, he or she will need a record of the proceedings, and that for such purpose, he or she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Board of County Commissioners
Planning, Zoning and Building

Publish: December 9, 1991

